

AMENDED IN ASSEMBLY JULY 14, 1999

AMENDED IN ASSEMBLY JUNE 28, 1999

AMENDED IN SENATE MAY 28, 1999

AMENDED IN SENATE MARCH 25, 1999

**SENATE BILL**

**No. 347**

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**Introduced by Senator Alpert**

February 9, 1999

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An act to amend Sections 8286, 8429, and 8480 of the Education Code, to amend Section 4560 of, and to add Chapter 32 (commencing with Section 7597) to Division 7 of Title 1 of, the Government Code, and to amend Sections 1596.87 and 1596.873 of the Health and Safety Code, relating to minors.

LEGISLATIVE COUNSEL'S DIGEST

SB 347, as amended, Alpert. California Commission on Children, Youth, and Families.

Existing law establishes various programs for children and families. Existing law requires the Governor to appoint an advisory committee to assist the State Department of Education in developing a state plan for child development programs.

This bill would delete this requirement and would establish the California Commission on Children, Youth, and Families, to be composed of 17 members. It would transfer the duties and responsibilities of the advisory committee to the commission and would require the commission to make

recommendations to the Governor and the Legislature on issues concerning children, youth, and families, and would make conforming changes.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. The Legislature finds and declares all of  
2 the following:

3 (a) Studies suggest there is an urgent need for  
4 comprehensive reform, evaluation, and monitoring of the  
5 delivery of services to children, youth, and families in  
6 California.

7 (b) Past and ongoing reforms and initiatives, such as  
8 the Youth Pilot Project, the Healthy Start Program,  
9 Juvenile Justice Challenge Grants, and after-school  
10 programs, suggest that there is a compelling need to  
11 support additional service delivery reforms. Those  
12 reforms should focus on improving interagency  
13 coordination and resource management at both the state  
14 and local levels.

15 (c) Studies further suggest that to be successful,  
16 organizations need to identify and to understand clearly  
17 their goals and objectives and have the ability to monitor  
18 performance and progress toward these goals and  
19 objectives.

20 (d) Other states, such as Arizona, Minnesota, Missouri,  
21 Oregon, and Texas, have created strategic planning and  
22 evaluation processes that are designed to improve the  
23 short- and long-range outcomes for children, youth, and  
24 families. Among the outcomes of these processes are  
25 development of benchmarking processes, identification  
26 of quantifiable long-range goals and shortrun objectives,  
27 and greater focus on program results that improve  
28 lifecourse outcomes for children, youth, and families.

29 (e) California state agencies and departments  
30 currently prepare strategic plans for their individual  
31 budget processes, but these plans are not coordinated  
32 among agencies and departments and are underused by



1 the Governor and the Legislature as a tool in the annual  
2 budget and legislative process.

3 (f) The Foundation Consortium, the California  
4 Wellness Foundation, the Senate Office of Research, the  
5 Pacific Center for Violence Prevention, the Cities,  
6 Counties, and Schools Partnership (League of California  
7 Cities, California State Association of Counties, and  
8 California School Boards Association) and Minorities in  
9 Law Enforcement cosponsored a recent conference  
10 entitled “From Pilots to Policy: Schools, Communities  
11 and Government Working Together for Children, Youth  
12 and Families.” This conference developed a report with  
13 specific recommendations designed to improve the  
14 delivery of services to children, youth, and families.  
15 Among the findings is a need for a long-range planning  
16 process with quantifiable results-based goals and  
17 objectives.

18 (g) It is the intent of the Legislature to establish a  
19 bipartisan commission to review and make  
20 recommendations to improve the quality of life for  
21 California’s children, youth, and families and evaluate  
22 and monitor on an ongoing basis the implementation of  
23 these recommendations.

24 (h) It is the intent of the Legislature that local  
25 governmental entities be provided the maximum  
26 flexibility in the implementation of these  
27 recommendations and that the recommendations reflect  
28 the Legislature’s need for accountability by those local  
29 governmental entities.

30 SEC. 2. Section 8286 of the Education Code is  
31 amended to read:

32 8286. (a) The California Commission on Children,  
33 Youth, and Families, established pursuant to Chapter 32  
34 (commencing with Section 7597) of Division 7 of Title 1  
35 of the Government Code, shall assist the State  
36 Department of Education in developing a state plan for  
37 child development programs pursuant to this chapter.

38 (b) The commission shall provide ongoing  
39 coordination and communication to local child care

1 planning councils to facilitate activities and provide  
2 technical assistance as needed.

3 (c) The commission shall continually evaluate the  
4 effectiveness of those programs and shall report thereon  
5 at each regular session of the Legislature.

6 (d) The commission shall assist in and coordinate the  
7 drafting of guidelines for local planning councils pursuant  
8 to Chapter 2.5 (commencing with Section 8499) of Part  
9 6. The commission shall request state and local agencies  
10 to submit suggested guidelines. The final guidelines shall  
11 be drafted and adopted by the commission, in  
12 consultation with local child care agencies, local planning  
13 councils, the Secretary of Child Development and  
14 Education, the State Department of Education, and the  
15 State Department of Social Services. The guidelines shall  
16 include, but not be limited to, provisions for assessing  
17 child care supply, demand, cost, and facility needs, in  
18 terms of age, family income level, special needs, and  
19 multilingual and multicultural backgrounds. Guidelines  
20 developed for programs administered by the State  
21 Department of Education shall be concurred in by the  
22 department.

23 SEC. 3. Section 8429 of the Education Code is  
24 amended to read:

25 8429. The commission established pursuant to  
26 Chapter 32 (commencing with Section 7597) of Division  
27 7 of Title 1 of the Government Code shall also perform the  
28 following functions with regard to this article:

29 (a) Review the establishment of all child care and  
30 employment funds, and gather public information as to  
31 the appropriateness and effectiveness of their  
32 implementation.

33 (b) Serve in an advisory capacity to the Secretary of  
34 Child Development and Education, the Superintendent  
35 of Public Instruction and the Governor for program  
36 policy decisions.

37 (c) Assist the State Department of Education in  
38 developing and reviewing guidelines for the  
39 administration of all child care and employment funds.

(d) Make recommendations to the Governor, the State Department of Education, the State Department of Social Services, the Secretary of Child Development and Education, the Legislature, and the State Job Training Council with regard to program development and expansion of child care and employment funds.

SEC. 4. Section 8480 of the Education Code is amended to read:

8480. The commission established pursuant to Chapter 32 (commencing with Section 7597) of Division 7 of Title 1 of the Government Code shall perform all of the following functions with regard to this chapter:

(a) Assist the State Department of Education in developing and reviewing guidelines for the administration of this chapter.

(b) Serve in an advisory capacity to the Superintendent of Public Instruction and the Governor for program policy decisions.

(c) Review the implementation of this chapter.

SEC. 5. Section 4560 of the Government Code is amended to read:

4560. (a) The Legislature finds and declares that there is a substantial need to provide adequate child care facilities for state employees.

(b) When the state constructs, acquires, or receives as a gift any office building that can accommodate 700 or more state employees, or when additions, alterations, or repairs are made to any existing state-owned office building that can accommodate 700 or more state employees, and the additions, alterations, or repairs both change and affect the use of 25 percent of the net square feet area of the building and include the addition to, alteration of, or repair of the first floor, adequate space shall be designated within the building to meet the child care needs of those employees, if a review of those employees slated to occupy the new or renovated building shows sufficient need for child care services for 30 or more children. The review shall be conducted by the Department of General Services and the commission

1 established pursuant to Chapter 32 (commencing with  
2 Section 7597) of Division 7.

3 (c) The Director of General Services may secure space  
4 in any adequate facility for the same purposes if funds for  
5 the offsite facilities are made available and the director  
6 determines that any of the following conditions exist:

7 (1) All other physical requirements controlling the  
8 development of the child care facilities within the office  
9 building cannot be utilized.

10 (2) It is more cost-efficient for the state to provide for  
11 equivalent child care facilities within a reasonable  
12 distance of the place of employment.

13 (3) Locating the child care center within a reasonable  
14 distance offsite would provide an enhanced facility for  
15 the children or would mitigate security concerns.

16 (d) It is the intent of the Legislature that existing state  
17 office buildings, at the discretion of the Director of  
18 General Services, may be retrofitted to accommodate a  
19 child care facility. State funds required for the retrofitting  
20 shall be subject to regular budgetary procedures and  
21 approvals.

22 (e) Space designed within a state-owned office  
23 building for the child care facility shall comply with the  
24 prevailing local and state safety building codes for child  
25 care facilities.

26 (f) The indoor area shall not exceed 2,100 square feet,  
27 nor be less than that required to accommodate 30  
28 children, excluding space for restrooms, kitchen facilities,  
29 storage areas, and teacher offices. Outdoor play area  
30 space shall correspond with the indoor play area as set  
31 forth in Title 22 of the California Code of Regulations.

32 (g) Utilization of the space shall be subject to terms  
33 and conditions as set forth by the Director of General  
34 Services. The terms shall include payment of rent, proof  
35 of financial responsibility, and maintenance of space. The  
36 space shall be made available to the employees who wish  
37 to establish child care facilities at a rate to be established  
38 by the Director of General Services based upon the actual  
39 cost to the state, the average cost of state-owned space in  
40 the area, or the statewide average cost of state-owned

1 space, whichever is less. If, however, the director  
2 determines that a lower rent must be charged to ensure  
3 the viability of a child care facility, the director may  
4 charge a lower rate.

5 (h) (1) The employee-occupants shall be notified in  
6 writing by the department or departments occupying the  
7 building, of the availability of space to be used for a child  
8 care facility no earlier than 180 days prior to the projected  
9 date of occupancy of a new building or space provided as  
10 the result of additions, alterations, or repairs to an existing  
11 state-owned building, and the additions, alterations, or  
12 repairs that both change and affect the use of 25 percent  
13 of the net square feet area of the building and include the  
14 addition to, alteration of, or repair of the first floor. If,  
15 within 30 days after full occupancy of a new office  
16 building or 30 days after the completion of additions,  
17 alterations, or repairs to an existing state-owned office  
18 building, the employee-occupants so desiring have not  
19 filed an application with the Secretary of State as a  
20 nonprofit corporation for the purpose of organizing a  
21 child care center, deposited two months' rent in a  
22 commercial or savings account, and entered into a  
23 contract with the Department of General Services, the  
24 space may be used for any other purpose, as long as no  
25 permanent alteration of the space occurs. Other purposes  
26 may include, but are not limited to, conference rooms,  
27 storage areas, or offices. The space for child care shall be  
28 held for the employee-occupants' nonprofit corporation  
29 only as long as they pay the monthly rent and meet the  
30 terms set forth in the contract. Payment of rent shall  
31 commence 30 days after full occupancy of a new office  
32 building or 30 days after completion of additions,  
33 alterations, or repairs, as specified in this section.

34 (2) If at a later date, the employee-occupants so  
35 desiring (A) file an application with the Secretary of State  
36 as a nonprofit corporation for the purpose of organizing  
37 a child care facility, (B) deposit two ~~month's~~ *months'* rent  
38 in a commercial or savings account, and (C) notify the  
39 Director of General Services of those actions, then the

1 space shall be reconverted for child care purposes within  
2 180 days of the notice.

3 (i) Children of whom at least one parent or guardian  
4 is a state employee shall be given priority admission, over  
5 other children, to the child care facility.

6 (j) When a child care center within a state-owned  
7 office building has been operative for five years, the  
8 Director of General Services shall assess the child care  
9 needs of the state employees using the center and the  
10 office space needs of the building within which the center  
11 is located. If the assessment demonstrates a greater need  
12 for office space than for child care, the Director of  
13 General Services may close the child care center. Ninety  
14 days' written notice shall be given to the director or head  
15 teacher of the center of the closure.

16 (k) This section does not apply to buildings that  
17 provide care or 24-hour residential care for patients,  
18 inmates, or wards of the state, such as state hospitals and  
19 correctional facilities.

20 SEC. 6. Chapter 32 (commencing with Section 7597)  
21 is added to Division 7 of Title 1 of the Government Code,  
22 to read:

23  
24 CHAPTER 32. CALIFORNIA COMMISSION ON CHILDREN,  
25 YOUTH, AND FAMILIES  
26

27 7597. (a) There is established in state government  
28 the California Commission on Children, Youth, and  
29 Families. The commission shall assume all the duties and  
30 responsibilities of the state's Child Development Policy  
31 Advisory Committee, and all references to the Child  
32 Development Policy Advisory Committee shall be  
33 deemed to refer to the commission.

34 (b) The commission shall provide recommendations  
35 to the Governor, Legislature, and other state agencies on  
36 public policy, programs, and services having to do with  
37 children, youth, and families. The commission shall  
38 continually evaluate the effectiveness of those programs  
39 and services. In addition, the commission shall develop  
40 and recommend a statewide results accountability

1 framework, including goals, indicators, and a monitoring  
2 process, for children, youth, and families.

3 (c) The commission shall be chaired by the Governor  
4 or his or her designee. The commission shall include 15  
5 voting members and two nonvoting members.

6 (d) The voting members of the commission shall  
7 include all of the following:

8 ~~(1) A Member of the Senate, appointed by the Senate~~  
9 ~~Committee on Rules.~~

10 ~~(2) A Member of the Assembly, appointed by the~~  
11 ~~Speaker of the Assembly.~~

12 *(1) A member of the public, appointed by the Senate*  
13 *Committee on Rules.*

14 *(2) A member of the public, appointed by the Speaker*  
15 *of the Assembly.*

16 (3) The Superintendent of Public Instruction or his or  
17 her designee.

18 (4) The Attorney General or his or her designee.

19 (5) The Secretary of the California Health and Human  
20 Services Agency or his or her designee.

21 (6) (A) Two members representing each of the  
22 following fields, appointed by the Governor, serving  
23 children between the ages of birth and 18 years, and half  
24 of whom shall be appointed from agencies representing  
25 local government:

26 (i) Health.

27 (ii) Child welfare.

28 (iii) Child care and development.

29 (iv) Youth development, including nonschool time for  
30 schoolaged pupils.

31 (v) Juvenile justice.

32 (B) Appointees pursuant to this paragraph shall  
33 include service professionals and parents of children  
34 receiving these services, and may include other  
35 interested individuals. These appointees shall serve at the  
36 pleasure of the Governor.

37 (e) The nonvoting members shall include all of the  
38 following:

39 (1) The Executive Director of the California Children  
40 and Families First Commission.

1 (2) The Chair of the Youthful Offenders Parole Board.

2 (f) The commission shall appoint an executive  
3 director who shall be exempt from civil service and who  
4 shall serve at the pleasure of the commission.

5 SEC. 7. Section 1596.87 of the Health and Safety Code  
6 is amended to read:

7 1596.87. The department shall institute a staff  
8 development and training program within the  
9 organizational structure to develop among staff the  
10 knowledge, understanding of children and child care, and  
11 regulatory administration necessary to successfully carry  
12 out this act. Specifically, the department shall do all of the  
13 following:

14 (a) Provide staff with 36 hours of training per year that  
15 reflect the unique needs of children. The training shall  
16 include training relating to regulation administration,  
17 including communication skills, writing skills, and human  
18 relations skills.

19 (b) Find ways to encourage applications from  
20 individuals with child care provider experience or  
21 educational backgrounds applicable to the provision of  
22 child care.

23 (c) Provide new staff with comprehensive training  
24 within the first six months of employment. This training  
25 shall, at a minimum, include the following core areas:  
26 administrative action process, client populations,  
27 conducting facility visits, cultural awareness,  
28 documentation skills, facility operations, human relation  
29 skills, interviewing techniques, investigation processes,  
30 and regulation administration.

31 This program shall also provide new staff who have  
32 earned fewer than 16 semester units in child  
33 development or early childhood education from an  
34 accredited college at least 40 hours of preservice training  
35 in child development or early childhood education.

36 (d) Submit for approval to the commission established  
37 in Chapter 32 (commencing with Section 7597) of  
38 Division 7 of Title 1 of the Government Code a plan for  
39 meeting the provisions of subdivisions (a) and (c).

1 SEC. 8. Section 1596.873 of the Health and Safety  
2 Code is amended to read:

3 1596.873. The commission established pursuant to  
4 Chapter 32 (commencing with Section 7597) of Division  
5 7 of Title 1 of the Government Code shall perform all of  
6 the following functions with regard to this act:

7 (a) Assist the department in developing and  
8 reviewing guidelines for the administration of this act.

9 (b) Review the implementation of this act.

10 (c) Make written recommendations to the  
11 Legislature, the Governor, and the department by  
12 December 31, 1985, with regard to possible  
13 improvements to facilitate the implementation of this act.

14 (d) Advise the director regarding regulations, policy,  
15 and administrative practices pertaining to the licensing  
16 of child day care facilities.

